

Applic. No. 10/008,241
Amdt. dated October 6, 2003
Reply to Office action of March 31, 2003

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-9 and 11 remain in the application. Claims 1 and 11 have been amended.

Claims 1-9 and 11 have been rejected as being obvious over Applicant's Admitted Prior Art (hereinafter "admitted prior art") in view of Salina et al. (U.S. Patent No. 5,340,993) (hereinafter "Salina") under 35 U.S.C. § 103.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 6, lines 8-19 of the specification and in Figs. 1-5 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1 and 11 call for, *inter alia*:

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the housing having an isolation barrier formed outside the housing between the two terminal pins.

The Salina reference discloses a semiconductor component having a leadframe mounted within a molded plastic package (19). A light source (18) and an optical detector (28) are each disposed on the leadframe within the package (19). An integral voltage isolation barrier (26) is included inside the molded plastic package (19) and is formed between the light source (18) and the optical detector (28). The leadframe (24) includes extensions that protrude from the package (19), which serve as terminal pins for the leadframe (24).

It is a requirement for a *prima facie* case of obviousness, that the prior art references must teach or suggest all the claim limitations.

The references do not show the housing having an isolation barrier formed outside the housing between the two terminal pins, as recited in claims 1 and 11 of the instant application.

The references applied by the Examiner do not teach or suggest all the claim limitations. Therefore, it is believed that the Examiner has not produced a *prima facie* case of obviousness.

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Furthermore, the Salina reference discloses an isolation barrier disposed between a light source and an optical detector. The Salina reference does not disclose an isolation barrier disposed between terminal pins (the barrier is not disposed between the section of the leadframes (24) which protrude from the housing). The isolation barrier disclosed in Salina serves the purpose of electrically insulating the light source (18) from the optical detector (28) and does not isolate the terminal pins from one another. Since Salina teaches the use of an isolation barrier, formed inside the housing, for isolating the light source from the optical detector, a person of ordinary skill in the art would not find any teaching in Salina to provide an isolation barrier between the terminal pins disposed outside of the housing, of the admitted prior art.

Applicants respectfully believe that any teaching, suggestion, or incentive possibly derived from the prior art is only present with hindsight judgment in view of the instant application. "It is impermissible, however, simply to engage in a hindsight reconstruction of the claimed invention, using the applicant's structure as a template and selecting elements from references to fill the gaps. . . . The references themselves must provide some teaching whereby the applicant's

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combination would have been obvious." In re Gorman, 18 USPQ2d 1885, 1888 (Fed. Cir. 1991) (emphasis added). Here, no such teaching is present in the cited references.

Therefore, it is applicants' position that claims 1 and 11 are not obvious over the admitted prior art in view of Salina.

Since claim 1 is believed to be allowable, dependent claims 2-9 are believed to be allowable as well.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1 or 11. Claims 1 and 11 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-9 and 11 are solicited.


In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

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If an extension of time for this paper is required, petition
for extension is herewith made.

Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,


For Applicant(s)

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